



State Senator

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VALDE GARCIA

Serving the 22nd District

Shiawassee-Livingston-southern Ingham counties

Coffee Break News

GOVERNOR SIGNS PA 52 of 2004-

Eliminates penalty for driver's without proof of insurance

Today, the governor signed Public Act 52 of 2004 eliminating the \$300 fine faced by drivers who are pulled over and have no proof of insurance. Drivers who are caught operating a motor vehicle (who do have insurance but who are not carrying verification with them) now have the opportunity to prove to the Secretary of State that they are, in fact, covered.

The public act also:

- Allows a driver to appear prior to the appearance date on the citation and show proof that they had auto insurance at the time of the violation. If they do this, no Driver Responsibility fees may be levied.
- Provides for reimbursement to drivers already assessed the fee. Drivers have 60 days to appear in court and appeal the court's ruling that resulted in the assessment being charged in the first place. If drivers prove they had insurance, the Secretary of State will refund the fees.
- Raises the Driver Responsibility assessment for lack of insurance to \$200 each year for two years. This puts the burden of responsibility more upon those drivers who are being truly irresponsible by not buying auto insurance.

The legislation does not remove the civil infraction for failure to show proof of insurance, which was on the books long before the Driver Responsibility Act. Courts may still assess this \$25 fee, even if a driver appears in court with proof of insurance.

Senate moves to keep Michigan's job market competitive

The Michigan Senate this week voted to prevent local governments from passing ordinances that chase jobs from their communities. House Bill 4160 would ban local governments from imposing higher wage mandates on businesses seeking development assistance or businesses that were simply located within the city limits. Senate Republicans said these ordinances also may lead to more urban sprawl as companies set up shop in "green spaces" rather than in existing cities. Thirteen Michigan municipalities currently have "living wage" ordinances for businesses that contract with or receive financial assistance from them. Testimony from business groups has indicated that the ordinances in place are pushing jobs out of the cities that are adopting them. Local governments could still require contractors directly providing services to the municipality to pay a "living wage" if they wish. The bill will not affect ordinances already in place. The bill now returns to the House for concurrence.

HAVA

This week the Legislature passed a bill bringing Michigan in line with the Help America Vote Act - making the state eligible to receive \$80 million in federal grant money. HAVA is a federal law that seeks to strengthen the election process by improving voting systems and making it easier for disabled Americans and military personnel to vote. Senate Bill 432 will require all jurisdictions to have voter accessible machines for the disabled by 2006; allows photo identification requests to verify information regarding a voter's registration; and provides for provisional balloting in elections - allowing voters not listed on voter registries to cast a ballot. President George W. Bush signed HAVA into law in response to Florida's 2000 presidential election. The law provides money to states to improve their election processes by updating old voting systems.

Budget wrap-up

The Senate wrapped up the major spending bills for state government this week and sent them to the House for consideration. The Senate-approved bills were generally less than what the governor proposed in her budget. Much of the funding reductions came from cutting transportation budgets for state departments.

The Senate approved \$20 million less than the governor's Corrections proposal, in part because Republican Senators refused to start a new program dealing with Hepatitis C in prisons. Although the proposed \$5 million program won't be funded, prisoners are being treated now and will continue to be treated for the disease.

The Republican-led Senate did approve a few budgets – such as funding for Michigan's schools, colleges and universities – with more money than the governor's request. The Senate passed an additional \$6.8 million for K-12 and \$67 million for higher education. Michigan State University's Cooperative Extension and the Agriculture Experiment Station were saved from cuts. The Senate also preserved need-based scholarships that go to private-college students.

Private environmental labs could be used by state

Expanding the number of private environmental labs eligible to earn business from the state would provide additional job opportunities in Michigan under legislation introduced in the Senate this week. The legislation would create a state-lab

accreditation program. It would establish uniform laboratory performance standards to expand commercial laboratory business opportunities with the state. The five-bill package will provide for baseline performance standards for lab procedures, personnel training and equipment. These standards are to ensure the state Department of Environmental Quality can rely upon lab data to confirm cleanups of contaminated sites and other environmental testing. The five-bill package (including Senator Garcia's legislation) is part of the second phase of JOBS – "Job Opportunities for Business Success" – a broad Republican plan for revitalizing Michigan's economy.

Water discharge permits

The Senate this week approved legislation that will help protect the state's surface and groundwater resources by requiring water discharge permit holders to pay an annual fee to administer discharge programs. Passage of Senate Bills 252 and 560 means the Department of Environmental Quality can continue their work on surface water and groundwater discharge without interruption. SB 560 also creates the National Pollutant Discharge Elimination System Fund. The NPDES was established in 1972 under the federal Clean Water Act as the primary tool for controlling water pollution. Unlike other states, Michigan currently does not assess fees for issuing NPDES permits. With this legislation, Michigan now joins the list of states that receive significant funding for various water quality programs from NPDES permits.